

REMARKS

Claims 26-32 and 33-38 remain in this case. Restricted-out claims 39-55 have been canceled and restricted-out claim 27 has been withdrawn from consideration.

Claims 26, 28, 29 and 31-33 were rejected as anticipated by Denver while claim 34-38 were rejected as obvious over Denver. The applicant notes with appreciation the indication that claim 30 would be allowable if placed in independent form. Applicant has placed claim 30 in independent form so that it is allowable.

The Cited Art

The patent to Denver illustrates, in figures 1 and 2, stents 20, 30, each with a fibrin coating and an underlying metal framework, placed over a balloon mounted to a catheter shaft, positioned at a target site and then expanded by the inflation of the balloon. The catheter shaft is then withdrawn and the coated stent is left in place. The figure 3 embodiment shows a self-expanding coated stent 40 which is stretched longitudinally for placement by a placement catheter and, once at the target site, released from the placement catheter to expand and press against the vessel wall. The placement catheter is then withdrawn leaving the expanded coated stent in place.

The Cited Art Distinguished

Independent claim 26 now recites that the radially-expandable element and the tubular mesh are contracted and removed from the body. In contrast, the Dinh patent discloses stents which once expanded, they are not contracted but are left in place. Therefore, the prior art is directed to different concepts and different structures so that it would not have been obvious to modify the prior art to arrive at the invention of claim 26 so that claim 26 is patentable.

Independent claim 34 recites in part positioning an inflatable balloon, mounted at a first position along a catheter shaft, at a target site, inflating the balloon, deflating the balloon, moving the catheter shaft to displace the balloon from the target site, positioning a tubular braid scaffolding, mounted to the catheter shaft at a second position along the catheter shaft, at the target site, expanding the scaffolding, and removing the catheter shaft and the balloon therewith from the passageway. The cited art fails to disclose or suggest

such a procedure using a catheter assembly in which a balloon is located at a one position along a catheter shaft and a tubular braid scaffolding is mounted to another position along the catheter shaft, expanding the tubular braid scaffolding against the wall at the target site and removing the catheter shaft and the balloon therewith from the passageway. Accordingly, independent claim 34 is allowable over the cited Art.

The dependant claims are directed to specific novel subfeatures of the invention and are allowable for that reason as well as by depending from novel parent claims.

Applicant submits that the application is in condition for allowance and action to that end is urged. If the Examiner believes a telephone conference would aid the prosecution of this case in any way, please call the undersigned at (650) 712-0340.

Respectfully submitted,

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